

Meeting of 2000-3-9 Special Meeting

MINUTES
SPECIAL CALLED MEETING
LAWTON CITY COUNCIL
MARCH 9, 2000 - 6:00 P.M.
WAYNE GILLEY CITY HALL COUNCIL CHAMBER

Mayor Cecil E. Powell, Also Present:
Presiding Bill Baker, City Manager
John Vincent, City Attorney
Brenda Smith, City Clerk

The meeting was called to order at 6:00 p.m. by Mayor Powell. Notice of meeting and agenda were posted on the City Hall notice board as required by State Law.

ROLL CALL

PRESENT: G. Wayne Smith, Ward One
Richard Williams, Ward Two
Glenn Devine, Ward Three
John Purcell, Ward Four
Robert Shanklin, Ward Five
Charles Beller, Ward Six
Stanley Haywood, Ward Seven
Randy Warren, Ward Eight

ABSENT: None.

BUSINESS ITEMS:

1. Consider adopting a resolution authorizing the installation of No U Turn Signs on Sheridan Road at Walding Street. Exhibits: Excerpt of 10/13/98 Council Minutes; Excerpt of 9/17/98 Traffic Commission Minutes; Resolution No. 00-_____.

Williams said this issue came up in October 1998 and at that time Sheridan Road was still under the Oklahoma Department of Transportation. Council action at that time was to write a letter to ODOT and ask them to install the No U Turn Sign. Since that time, the City has taken back Sheridan Road and this item has not been addressed further.

Smith asked where Walding is located. Williams said it is two blocks north of the new Walgreen Store; it is a semi-circle street on the east side of Sheridan Road only. Williams said when the residents try to leave the subdivision on Sheridan Road and go to the south, there is a stream of cars coming out of Wal-Mart wanting to make a U Turn and go back to the north so there are conflicting traffic patterns. Williams said there is a No U Turn sign by P-A Chevrolet and he asked that this be considered for the people on Walding.

Warren said new buildings have been built in this area since this was considered before and there is not so much of a need for traffic to make U Turns to get to some of the businesses. He said he had no problem approving the No U Turn sign.

Purcell asked if U Turns were permitted going south on Sheridan at Ferris. Larry Wolcott, Traffic Engineer, said you cannot make a U Turn at that intersection. Purcell explained problems with traffic trying to exit Wal-Mart and other turning movements in the area that should be considered.

Williams said traffic trying to leave Wal-Mart and go north can go to the traffic light or use the access road by Locke's Supply. Purcell said the line in the Wal-Mart parking lot gets pretty long waiting for the traffic light and it is a short timed light so traffic is taking other routes which are not safe. Purcell said he had no problem getting rid of the No U Turn but felt something should be done about the other situation.

Devine said it would not be good for south bound traffic to be able to make U Turns at Sheridan and Ferris due to the right turn arrow and it being a very busy intersection. He said new traffic buttons were installed on the road by Locke's Supply which allow only right turns.

Purcell asked if this issue, as well as the whole area by Wal-Mart, can be referred to the Traffic Commission for a recommendation to Council. Devine said the store manager of Wal-Mart had told him there was a traffic problem on Sheridan Road and he agreed the Traffic Engineer should see if an improvement could be made to ease the problems.

Warren suggested looking at the length of the light at Wal-Mart to be able to empty the parking lot a little better.

Devine said he would like the Traffic Engineer to see if we might be able to make a double left turn out of Wal-Mart to be able to get more traffic out that is going to the north. Wolcott said the Traffic Commission could consider this on March 16. Williams said it could be tabled for staff to look at it again because a new Walgreen Store has been built that has some impact on the area.

MOVED by Williams, SECOND by Purcell, that this item be tabled. AYE: Williams, Devine, Purcell, Shanklin, Beller, Haywood, Warren, Smith. NAY: None. MOTION CARRIED.

2. Consider request for additional funding for asbestos abatement at the Museum of the Great Plains. Exhibits: Report of payments made to the Institute.

Williams said there is a bill remaining from Delta Engineering in the amount of \$3,396.92. He said everything the City had contractual agreements on with the Institute of the Great Plains has been fulfilled, although the contractor has this outstanding bill that remains to be paid. He said the contractor continues to call the Museum asking for help in getting payment and the matter is really between the City and the Institute. He asked that Council consider approving these funds for payment on the asbestos abatement project.

Smith asked if there were any more bills that Williams was aware of and Williams said no more asbestos-related bills. Williams said there are two spots under walls where asbestos-related flooring will remain, but with the payment of this bill, we will have a certification that the building is as near asbestos-free as possible.

Warren said there is a breakdown in the agenda of the money paid so far but there is not a breakdown of what this is for and we should really know what we are paying for. Baker said he understood from Mr. Welch that most of this is for additional put-backs and primarily the sprinkler system and security system that were taken down and had to be replaced and it was not provided for in the contract. Williams said he was not sure what it was exactly but knew that Delta had been shorted that much money.

MOVED by Williams, SECOND by Smith, to approve the request in the amount of \$3,396.92 to pay in full the asbestos project at the Museum.

Shanklin asked if he would be able to vote since he was a member of the Institute of the Great Plains and Vincent said yes.

VOTE ON MOTION: AYE: Devine, Purcell, Shanklin, Beller, Haywood, Warren, Smith, Williams. NAY: None. MOTION CARRIED.

Williams asked that the check be made to Delta Engineering and sent as soon as possible.

3. Pursuant to Section 307B4, Title 25, Oklahoma Statutes, consider convening in executive session to discuss the case styled International Association of Firefighters, Local 1882, v. The County Election board for Comanche County, Oklahoma and City of Lawton, Case No. CJ-99-1388, filed in the District Court of Comanche County, and if necessary, take appropriate action in open session. Exhibits: None.

4. Pursuant to Section 307B2, Title 25, Oklahoma Statutes, consider convening in executive session to discuss negotiations for a Collective Bargaining Agreement for FY 2000-2001 between the Police Union, IUPA, Local 24, and the City of Lawton, and take appropriate action in open session. Exhibits: None.

5. Pursuant to Section 307B1, Title 25, Oklahoma Statutes, consider convening in executive session to evaluate the performance of the City Manager, City Clerk, City Attorney, and Municipal Judge; and, take action as necessary in open session. Exhibits: None.

MOVED by Smith, SECOND by Haywood, to convene in executive session to consider the items listed on the agenda and recommended by the City Attorney. AYE: Purcell, Shanklin, Beller, Haywood, Warren, Smith, Williams, Devine. NAY: None. MOTION CARRIED.

The Mayor and Council convened in executive session at approximately 6:15 p.m. and returned to special, open session at approximately 7:35 p.m. with roll call reflecting all members present.

Vincent reported on Item 3 that the Mayor and Council convened in executive session pursuant to Section 307B4 regarding the lawsuit International Association of Firefighters, Local 1882, v. The County Election Board for Comanche County, Oklahoma and City of Lawton, Case No. CJ-99-1388. He recommended as a result of that discussion that Council consider a motion substantially as follows: Authorize the Mayor to sign a letter on behalf of the Council regarding implementation of the terms of the IAFF contract.

MOVED by Smith, SECOND by Purcell, to authorize the Mayor to sign a letter on behalf of the Council regarding implementation of the terms of the IAFF contract. AYE: Beller, Haywood, Warren, Smith, Williams, Devine, Purcell, Shanklin. NAY: None. MOTION CARRIED.

Vincent reported on Item 4 that the Mayor and Council met in executive session pursuant to Section 307B2, Title 25, to discuss the on-going negotiations for FY 2000-2001 between the Police Union, IUPA, Local 24, and the City of Lawton. He recommended no action at this time.

Mayor Powell reported that no action will be required on Item 5.

REPORTS OR COMMENTS

Shanklin said he had some comments to make for the record. He said four of five members met at the Landfill a week ago and were allowed to ask any questions needed and the City received a clear bill of health as to the Landfill. He said he appreciated that and the job the staff is doing, and that he had been out there the day before, along with the Mayor, looking at the Landfill and you could not have had a cleaner, better looking Landfill and that was stated by the DEQ representatives so evidently our staff and whoever runs that was doing a good job.

Shanklin said he understood everyone had seen a copy or understood what the Chamber of Commerce was trying to do to keep the jail on Bishop Road. He said we have had a jail in downtown Lawton since 1901 and all of a sudden the jail is not conducive to good business. Shanklin asked that Council members comment because this is a witch hunt if he had ever seen one and asked why they are so excited and upset over it unless there is a money trail, they need the money that had to sell the Haggard Slacks and ten years from now we will wish the jail was not out there if they do it. Shanklin said he did not know whether we needed to agenda an item, and he could do that, and vote on it to tell the County Commissioners and everyone in Lawton that we want it back downtown. He said he thought it needed to be downtown, and the judges and attorneys want it downtown and it has been there for 100 years and if we decentralize downtown Lawton, we are ruining our central corridor, and we need as many businesses or anything we can get that will keep the attraction to downtown. Shanklin said the mall even signed a letter but other than the mall, the downtown is just the court house and city hall. He said he would appreciate hearing the Council's comments.

Haywood said he had been against the jail coming to Ward 7 since day one and three ladies from Ranch Oaks regularly attend the County Commissioners meetings on Monday. He said he was unable to attend those meetings because he has to go to work, and that he works for Lawton Public Schools. Haywood said he had spoken with Gail Turner to express opposition to locating the jail on Bishop Road, and that he had been kept abreast of what was going on by the people in Ranch Oaks. He said he was not always vocal but he knew what was going on and wanted the people to understand that he was against the jail being in Ward 7 and that his constituents do not want the jail at 203 SW Bishop Road and he wanted the Lawton Chamber of Commerce to understand that. Haywood said they had a plan that a transportation department would be located at 203 SW Bishop Road for mass transit.

Beller said he agreed the jail should be located in downtown Lawton and based that on the logistics of the transferring back and forth of the prisoners, although they had talked about doing video arraignments, but it seemed obvious that if the court system is situated where it is that the logistic would be to have a jail as close to there as possible. He said today's jail is sitting adjacent to the downtown mall, and he did not think there should be a concern as to the danger of the jail being located in downtown Lawton. Beller said the most sensible and feasible solution would be to have an underground tunnel from the jail location over to the courthouse, but that is a call for the County Commissioners to make. He said if he were voting today, he would vote to put the jail house in downtown Lawton.

Warren said he has a business downtown and did not want the jail downtown. He said his first choice would not necessarily be the Haggard building but thought the transportation of prisoners was not as big of a deal as everyone is making it out to be and electronics are used in many jurisdictions without any problems at all. Warren said he wished the County had taken him up on his offer over a year ago to contract with Wackenhut and Wackenhut would have had a jail in operation as we speak and this issue would be dead and over and it would be located in an area with the most security that you will be able to find anywhere, but it seems that was not what the powers that be wanted to do right then so that is fine, but he, for one, did not want it downtown and did not think we needed to spend over \$1 million for a building that we will have to rehab or tear down. Williams said it is \$2 million.

Shanklin asked if everyone received a copy of the letter from the Chamber of Commerce. Williams said he received one and sent it in.

Haywood said Gail Turner attended a meeting in Ranch Oaks and he indicated it was 99% certain that the jail would be located on Bishop Road and Haywood said he wanted the 1% chance and that Mr. Turner may have changed his mind to a certain extent and would give that chance, so hopefully the jail will be downtown. He said the people want it downtown and that is where we need to have it, regardless of how many petitions are received, and there has always been a jail and will always be one, and that was not the reason for the people moving out of the mall.

There was no further business to consider, the meeting adjourned at 7:40 p.m. upon motion, second and roll call vote.